

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

THE PENNSYLVANIA STATE UNIVERSITY, Plaintiff and Counter-Claim Defendant, v. VINTAGE BRAND, LLC, Defendant and Counter-Claim Plaintiff, and SPORTSWEAR INC. d/b/a PREP SPORTWEAR; and CHAD HARTVIGSON, Defendants.	Case No. 4:21-cv-01091-MWB (Hon. Matthew W. Brann) JURY TRIAL DEMANDED
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DEFENDANTS’ MOTION FOR JUDGMENT AS A MATTER OF LAW

For the reasons set forth in the accompanying Brief, Defendant/Counterclaim-Plaintiff Vintage Brand, LLC (“Vintage Brand”), Defendant Sportswear Inc. (“Sportswear”), and Defendant Chad Hartvigson hereby move for judgment as a matter of law as to the trademark infringement claims advanced by The Pennsylvania State University (the “University”), or, in the alternative, for judgment as a matter of law as to the University’s post-sale and initial-interest theories of confusion, and with respect to the University’s purported trademark rights in the Pozniak Lion design.

Dated: November 14, 2024

Respectfully submitted,

By: /s/ Joshua D. Harms

John T. Fetters, Esq., *pro hac vice*
Joshua D. Harms, Esq., *pro hac vice*
Leslie Vander Griend, Esq., *pro hac vice*
Valerie A. Walker, Esq., *pro hac vice*
Washington I.D. Nos. 40800, 55679,
28090, 52584
STOKES LAWRENCE, P.S.
1420 Fifth Avenue, Suite 3000
Seattle, Washington 98101
Phone: (206) 626-6000
Fax: (206) 464-1496
John.Fetters@stokeslaw.com
Joshua.Harms@stokeslaw.com
Leslie.VanderGriend@stokeslaw.com
Valerie.Walker@stokeslaw.com

Mark P. McKenna, Esq., *pro hac vice*
Illinois I.D. No. 6272699
LEX LUMINA PLLC
745 Fifth Avenue, Suite 500
New York, New York 10151
Phone: (646) 898-2055
Fax: (646) 906-8657
Mark@lex-lumina.com

Jodi S. Wilenzik, Esq.
Mark H. Perry, Esq.
PA Supreme Court I.D. Nos. 89205,
68610
POST & SCHELL, P.C.
1717 Arch Street, 24th Floor
Philadelphia, Pennsylvania 19103
Phone: (215) 587-1101
Fax: (215) 320-4159
jwilenzik@postschell.com
mperry@postschell.com

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system on this 14th day of November 2024, which constitutes service on Plaintiff pursuant to Fed. R. Civ. P. 5(b)(2)(E):

Courtney S. Schorr, Esquire
McGuire Woods LLP
Tower Two-Sixty
260 Forbes Avenue, Suite 1800
Pittsburgh, PA 15222-3142

Claire H. Eller, Esquire (admitted pro hac)
Lucy J. Wheatley, Esquire (admitted pro hac)
Matthew G. Rosendahl, Esquire (admitted pro hac)
David E. Finkleson, Esquire (admitted pro hac)
McGuire Woods LLP
Gateway Plaza
800 East Canal Street
Richmond, VA 23219-3916

Jessica S. Maupin, Esquire (admitted pro hac)
McGuire Woods LLP
2000 McKinney Ave., Suite 1400
Dallas, TX 75201

Attorneys for The Pennsylvania State University

Dated: November 14, 2024

By: /s/ Joshua D. Harms
Joshua D. Harms, Esq., *pro hac vice*
Washington I.D. No. 55679
STOKES LAWRENCE, P.S.
1420 Fifth Avenue, Suite 3000
Seattle, Washington 98101
Phone: (206) 626-6000
Fax: (206) 464-1496
Joshua.Harms@stokeslaw.com